IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1378 OF 2007

Mr. Somesh Singh and ors. ..Petitioner
Vs.
Mr. Gaurav Santram Bansal and anr. ..Respondents

Mr. R.V. Talsikar for petitioner.
Mr. A.P. Vanarase for respondent no.1.
Mr. S.R. Shinde, APP for State.

CORAM: B.H. MARLAPALLE, J.

Date : September 06, 2007.

P.C.:

1. Consequent to the order passed by this court on 9/8/2007, the learned counsel for the petitioner has placed on record a Demand Draft in the sum of Rs.3,00,000/- drawn in favour of respondent no.1-original complainant who had filed Criminal Case registered as STC No. 0410232 of 2007 before the learned JMFC (Court No.8) at Pune. The complaint pertains to dishonour of cheque in the sum of Rs.3,00,000/- and the cheque was dated 2/1/2007. The demand notice was issued on 3/2/2007 and the period for payment of the sum of Rs.3,00,000/- had expired on

17/2/2007.

2. Taking into consideration the fact that only about six months period has gone by depriving the complainant from the receipt of Rs.3,00,000/-, it would be appropriate that compounding of complaint is allowed under Section 147 of the Negotiable Instruments Act, 1881.

3. Hence STC No.0410232 of 2007 is allowed to be compounded as Demand Draft in the sum of Rs.3,00,000/- has already been handed over to the learned counsel for the respondent no.1 and the petition is disposed accordingly.

4. This compounding order is passed without prejudice to the legal rights and contentions of the parties.

(B.H. Marlapalle,J.)